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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/417,201	10/11/1999	BRETT EDWARD JOHNSON	10982213	7100

22879   7590   04/12/2005

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EXAMINER
ANYA, CHARLES E

ART UNIT	PAPER NUMBER
2194	

DATE MAILED: 04/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED <u>10 January 2005</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

   a) ☒ The period for reply expires <u>3</u> months from the mailing date of the final rejection.

   b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

     Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

<u>NOTICE OF APPEAL</u>

2. ☐ The reply was filed after the date of filing a Notice of Appeal, but prior to the date of filing an appeal brief. The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

<u>AMENDMENTS</u>

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because

   (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);

   (b) ☐ They raise the issue of new matter (see NOTE below);

   (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

   (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

     NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☐ Applicant's reply has overcome the following rejection(s): _____.

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

   The status of the claim(s) is (or will be) as follows:

   Claim(s) allowed: *none*.

   Claim(s) objected to: *none*.

   Claim(s) rejected: *1-5,7-11,13,16,17 and 21-26*.

   Claim(s) withdrawn from consideration: *none*.

<u>AFFIDAVIT OR OTHER EVIDENCE</u>

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

<u>REQUEST FOR RECONSIDERATION/OTHER</u>

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: <u>See Continuation Sheet.</u>

12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____

13. ☐ Other: _____.

MENG-AL T. AN,
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Continuation of 11. does NOT place the application in condition for allowance because: Applicant argued in substance that (1) the 35 U.S.C. 112 first paragraph rejection should be withdrawn because applicant's specification discloses "automatically determininig without prompting from a user if the intercept library is enabled to process the event...", (2) the Smale prior art reference does not teach determining whether an intercept library is enabled to process an event and that no determination is made before transmitting an event from an application program interface, (3) the Smale prior art reference does not teach an "intercept library", (4) the Smale prior art reference does not teach a "generic interception communication interface" and (5) the Smale prior art reference does not identify a "send handler" of the generic interception communication interface.

The examiner respectfully traverses applicant arguments:

As to point (1), after reviewing applicant's argument the examiner would withdraw the '112 first paragraph rejection.

As to point (2), the service providers 28/29 (extension 34/35) serves as the intercept library because their function is to process events. The Smale prior art reference discloses a routing component 26/notification manager 32, whose function is to notify a service provider/extension of request call/event (pre-notification Col. 4 Ln. 48-52). Prior to the "pre-notification" a determination is made as to whether the service provider/extension is capable of processing the request call/event (Col. 8 Ln. 14-23) and this determination step covers the invention as claimed.

As to point (3), from the claim language the intercept library's function is to process events, the service providers/the extensions serve as the intercept library by being responsible for servicing request calls (Col. 4 In. 61-67, Col. 5 Ln. 1-4).

As to point (4), although the word "generic" is used in the claim language, the function of the generic interception communication interface as claimed is to maintain communication between the application program interface and the intercept library. And although the word "generic" may have been defined in the specification, the specification should not be read into the claim. The Smale prior art reference discloses a routing component 26/notification manager 32 which serves as the generic interception communication interface because it maintains communication between the application programming interface (API) 25 and the service providers 28/29 (extensions 34/35) (Col. 4 Ln. 21-31).

As to point (5), as claimed, the intercept event send handler which is part of the generic interception communication interface has the funciton of transmitting events from the generic interception communication interface to the intercept library. The request router 30 of the Smale prior art reference is part of the routing component 26 and functions to rout request calls/event from the routing component 26/notification manager 32 to the service providers 28/29 (extensions 34/35)(Col. 4 In. 41 - 51).